

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
24-00069-01-CR-W-DGK

OTHIENO O. LUCAS,

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGES: Count One Possession with Intent to Distribute Fentanyl, *in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)*
 Count Two Possession of a Firearm in Furtherance of Drug Trafficking, *in violation of 18 U.S.C. § 924(c)(1)(A)(i)*
 Count Three Felon in Possession of a Firearm, *in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8)*

TRIAL COUNSEL:

Government: Trey Alford; a paralegal may assist

Case Agent: Detective Steve Cook – Independence, Missouri Police Department

Defense: Matthew Merryman

OUTSTANDING MOTIONS: None

ANTICIPATED MOTIONS: None

TRIAL WITNESSES:

Government: 10 without stipulations

Defense: No additional witnesses; Defendant may testify

TRIAL EXHIBITS:

Government: 50 exhibits

Defense: 10 exhibits

DEFENSES:

(x) defense of general denial

() defenses of general denial and _____

POSSIBLE DISPOSITION:

Definitely for trial Possibly for trial
 Motion to continue to be filed Likely a plea will be worked out

TRIAL TIME: 3 days

Government's case including jury selection: 2 days

Defense case: ½ day

STIPULATIONS:

() not likely
() not appropriate
() proposed as to:
() chain of custody
(x) chemist's reports
(x) prior felony conviction
(x) interstate nexus of firearm
() other: _____

UNUSUAL QUESTIONS OF LAW: Defendant may consider the possibility of pleading guilty to one count and contesting the others.

FILING DEADLINES:

Witness and Exhibit Lists:

Government: August 30, 2024

Defense: August 30, 2024

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: August 30, 2024

Jury instructions must comply with Local Rule 51.1

Motions in Limine: August 30, 2024

TRIAL SETTING: Criminal jury trial docket commencing September 16, 2024

Please note: *No conflicts identified.*

OTHER:

A _____-speaking interpreter is required.
 Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge